



STATE OF MAINE  
DEPARTMENT OF EDUCATION  
23 STATE HOUSE STATION  
AUGUSTA, ME 04333-0023

JANET T. MILLS  
GOVERNOR

PENDER MAKIN  
COMMISSIONER

March 11, 2022

James Lane  
Senior Advisor  
Elementary & Secondary Education  
US Department of Education,  
400 Maryland Ave., SW,  
Washington, DC 20202

Dear Dr. Lane,

Request for an Eligibility Waiver and Extension of Availability of Funds

Pursuant to §8401(b) of the Elementary and Secondary Education Act (ESEA) as amended by the Every Student Succeeds Act (ESSA) of 2015, and §421(b) of the General Provisions Act the Maine Department of Education requests a waiver of eligibility related to the FY 2016 School Improvement Grant (SIG) (CFDA 84.377A) funds reserved for school improvement under section 1003(a) of the ESEA as amended by ESSA. This waiver would seek to extend the period of availability of SIG funds in the amount of \$812,951.51 to September 30, 2022 and waive the eligibility requirements to further support Maine schools during a period of exceptional challenges due to COVID-19.

Additional information as required by §8401(b) of the ESEA, as amended by the ESSA of 2015, can be found below:

**Federal Programs Affected by the Requested Waiver**

Maine is requesting a waiver of the eligibility requirements for FY 2016 SIG funds to not only support schools that have been determined by the State to need support and improvement (CSI, TSI, or ATSI) but to support all schools experiencing ongoing challenges as a result of COVID-19. If granted, this eligibility waiver request would give the Maine DOE authority to support a greater number of schools with their continuous improvement efforts through the end of summer 2022. The Maine DOE plans to utilize the remaining \$812,951.51 in SIG funds to provide a Summer Leadership Academy designed to help educators address the academic and non-academic needs of students impacted by COVID-19. If an SAU is not in agreement with the Maine DOE utilizing the remaining SIG funds on behalf of Maine SAUs and schools to implement a Summer Leadership Academy and would prefer to independently implement school improvement activities with allocated funds, the Department has requested [Travis Doughty](#) be notified by March 11, 2022. Maine DOE has utilized student counts to derive an allocation for all schools within the state. These allocation amounts are available on the [Department's ESSA webpage](#). This request is also seeking to extend the availability of \$812,951.51 to support Maine schools through September 30, 2022.

### **Impact to Student Achievement**

Extending availability of funds under §421(b) of the General Provisions Act (Tydings waiver) will directly impact student achievement by allowing the Maine Department of Education to provide increased support for school and classroom leaders during the 2021-22 school year, summer of 2022 and start of the 2022-23 school year. Since March 13, 2020, Maine schools have experienced unprecedented challenges as a direct result of the global COVID-19 pandemic. These challenges remain some twenty-three (23) months later. As a result, students, schools and school administrative units (SAUs) have consistently adapted and remained nimble, transitioning to a variety of modalities of instruction and learning in order to ensure the safety of staff, students and families and provide consistency to student learning. These changes have provided interruptions to student learning and a potential loss in student achievement and growth.

### **Monitoring**

The Department is proposing utilizing these funds at the state level through the implementation of a Summer Leadership Academy. The Leadership Academy will provide priority for attendance to Maine educators within schools currently identified for Comprehensive, Targeted and Additional Targeted support and intervention. Due to the impact of COVID-19 to students, all Maine educators from all Maine schools will be eligible to attend. The Leadership Academy will focus on supports to students through a whole child approach, ensuring academic and non-academic needs are addressed. The Maine Department of Education will continue to ensure proposed uses of funds to support schools during these extraordinary circumstances and are utilized in a manner that is reasonable, necessary and allowable under the ESEA as amended by the ESSA of 2015.

### **Continuity of Services to Students**

During the global pandemic, schools have continued to provide high quality learning opportunities regardless of the modality of instruction. The extension to the period of availability of funds will ensure further targeted supports can be provided. Schools will continue to share and engage with communities and families in ways they have found beneficial, and which meet the needs of schools and their communities.

### **Public Comment**

Maine has provided this letter to the public via a priority notice in the Maine Department of Education (DOE) Newsroom and through the Department's social media platforms. Public comment is solicited between February 25 - March 11, 2022 for a fifteen (15) day period. A summary of comments and the Department's response are attached to the finalized request.

Please don't hesitate to contact us if you require any further information. We look forward to receiving your response.

Pender Makin  
Commissioner